

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A game machine that is provided with an electrically rewritable rewritable nonvolatile memory having two or more game data storage backup areas, said game machine being capable of writing game data into said backup areas, comprising:
 - [[a]] backup memory area selector for selecting, as a write-objective backup area for storing last game data, a backup area containing previously stored game data of oldest writing age among said two or more backup areas;
 - [[a]] memory controller for writing the last game data to a backup area selected as said write-objective backup area by said area selector;
 - memory write determination programmed logic circuitry to determine a processing mechanism for determining whether or not a writing of the last game data can be to said nonvolatile memory is successfully performed by said memory controller;
 - writable backup area determination programmed logic circuitry to determine whether or not two or more writable back up areas are present ins aid nonvolatile memory; and
 - a selection repeator for repeating a selection of the write objective backup area, if it is determined that writing of the last game data can not be performed; and
 - [[a]] writing prohibitor for prohibiting preventing a writing of the last game data to said selected write-objective backup area if said writable backup area determination programmed logic circuitry determines that two or more writable backup areas are not present in said nonvolatile memory only when a backup area containing game data saved immediately before the last game data becomes selectable as a write objective backup area.

2. (Currently Amended) A game machine according to claim 1, wherein
said memory write determination programmed logic circuitry processing mechanism
records includes a historical information storage programmed logic circuitry for recording
historical information used for determining relative age including information relating to a write
age of generated game data, said historical information being included as part of said last game
data, and for determining an age of said generated game data relative to a write age of other
stored game data based on said historical data; and

said backup memory area selector includes an earliest write age selector which, said
selector selects, before writing the last game data, selects as the write-objective backup area a
backup area stored with game data that was written earlier than the last game data as the write-
objective backup area based on said write age historical information.

3. (Currently Amended) A game machine according to claim 1, wherein
said writing prohibitor includes a writing process terminator for ~~forcedly terminating~~
prohibiting a writing process of the last game data when only the backup area stored with the
game data written immediately before the last game data becomes selectable by said area selector
as the write-objective backup area.

4. (Currently Amended) A game machine according to claim 1, further comprising a
message ~~display or~~ display for displaying a predetermined alarm message when the writing is
prohibited by said prohibiting means.

5. (Currently Amended) A game data backup control method wherein game data is written into two or more backup areas in an electrically rewritable storage area of a nonvolatile memory connected to a game machine, the game machine including a CPU, comprising steps ~~performed by said game machine CPU~~ of:

selecting, when last game data is to be stored, a backup area stored with game data having an ~~older writing time~~ oldest write age among two or more backup areas as a write-objective backup area for said last game data;

attempting a writing of said last game data to said write-objective backup area selected [[by]] in said [[area]] selecting step;

determining whether or not [[the]] writing of the last game data ~~could be to said nonvolatile memory~~ is successfully performed ~~by said writing step~~;

determining whether or not two or more writable backup areas are present in said nonvolatile memory; and

~~repeating, when it is determined the writing of the last game data could not be performed by said determining step, a selection of the writing object backup area means as necessary; and~~

prohibiting a writing of the last game data to said selected write-objective backup area if two or more writable backup areas are determined not to be present in said nonvolatile memory, when only a backup area stored with game data written immediately before the last game data is selectable by said area selecting step.

6. (Currently Amended) A game data backup control method according to claim 5, wherein

said attempting a writing step includes attempting a writing of historical data for

discriminating between relative [[age]] ages of previously stored game data, said historical data being included in said last game data.

7. (Currently Amended) A game data backup control method according to claim [[5]]
6, wherein said selecting step includes, before writing the last game data, selecting a backup area stored with game data written earlier than the last game data as the write-objective backup area on the basis of the historical data.

8. (Previously Presented) A game data backup control method according to claim 5,
wherein

said prohibiting step includes forcedly terminating a writing process of the last game data when only the backup area stored with the game data written immediately before the last game data becomes selected as the write-objective backup area by said area selecting step.

9. (Currently Amended) A game data backup control method according to claim 5,
further comprising:

displaying a predetermined alarm message when said writing [[step]] is prohibited by said prohibiting step.

10. (Currently Amended) A game data backup control method for controlling whether last game data is written into backup areas in an electrically rewritable storage area of a nonvolatile memory connected to a game machine, comprising steps of:

(a) selecting, as a write-objective, a backup area in said non-volatile memory that contains

an oldest written game data and which is available for storing said last game data; and

(b) canceling writing of said last game data when writing into said selected write-objective backup area is not executable and only [[a]] one writable backup area ~~containing game data stored immediately before the last game data was generated~~ is available for selecting selection as a write-objective backup area, so as to leave intact game data that was stored immediately before generating [[the]] said last game data.

11. (Currently Amended) In a game machine having a nonvolatile memory, said memory including a plurality of electrically rewritable game data backup storage areas, a method of backing up game data, comprising:

(a) generating last game data corresponding to a last game played;

(b) designating one of said game data backup storage areas that contains older written game data relative to game data written in other backup storage areas as a write-objective target for storing said last game data; and

(c) canceling writing of said last game data into said backup storage area if writing to [[said]] a designated backup storage area ~~designated in (b)~~ can not be performed and ~~the only only a single remaining~~ backup storage area [[that]] is available for designating in step (b) is a backup storage area that contains game data that was stored immediately prior to generating said last game data.